

REMARKS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks.

The amendments to the claims are as follows. Claim 5 was amended in order to overcome the formal objections under 35 U.S.C. 112.

In the Office Action, claim 5 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Specifically, claim 5 recites the limitation "the additional running-time system" in lines 2-3, and allegedly there is insufficient antecedent basis for this limitation in the claim. In response to this objection, claim 5 was amended to recite "an additional running-time system".

For all these reasons, all the claims are believed to be in complete compliance with the requirements of 35 U.S.C. 112. Withdrawal of this ground of rejection is respectfully requested.

Reconsideration and withdrawal are respectfully requested for the rejection of claims 2, 3, 5, 6, 11 and 30 under 35 U.S.C. 102(b) as being anticipated by *Sipin U.S. Patent No. 5,759,148*.

The *Sipin U.S. Patent* in column 1, in lines 5 to 8, discloses a controlled pneumatic driving system to be used for inflating and deflating a gas-filled intra-aortic balloon through an isolating safety chamber.

Sipin in column 1, lines 65 to 67 and in column 2, lines 1 to 26, discloses a controlled pneumatic driving system whose primary application is inflating and deflating an intra-aortic balloon through an isolating safety chamber, connected in series with the balloon, that contains a flexible element to separate the driving fluid from the balloon inflating fluid, and to transmit pressure between the two fluids. The system consists of a fluid load, such as an intra-aortic balloon, a pressure pump to deliver fluid to the load under positive pressure, a suction or vacuum pump to remove fluid from the load under reduced pressure that could be vacuum, and that has a characteristic performance that varies with speed in a manner similar to the pressure pump,

and means to drive the pressure pump and the suction pump at the same speed.

The system also provides means to control one of the pressures, whereby the other pressure will be at a known value within an allowable band. The control means includes means to select a value of the controlled pressure, means to measure the actual value of the controlled pressure, means to compare the selected and actual pressures, having an output related to their difference, and means responsive to the differential output of the comparator means to vary the drive speed in a direction and by an amount to reduce the differential output to a minimum. This will maintain the controlled pressure at its selected value, and the other pressure at a constant value within an allowable band. Reservoirs or accumulators are connected between the pumps and the load to reduce pressure fluctuations and pump flow rate requirements.

More particularly, the inventive concept of the present invention resides in creating a universal control module that can be used for a large number of different units. According to *Sipin*, this is specifically not the case. The disclosure of the cited reference is, instead, the provision of a pump that is

responsible both for compression and for generating a vacuum. Advantages in terms of weight, size, and costs are achieved in this manner (column 7, lines 6 to 16). Since a combined compressor/vacuum pump is used, only one parameter needs to be controlled, in the final analysis, namely either pressure or vacuum, in order also to regulate the other variable, in each instance, by way of the rotor speed. Therefore, while according to the claimed invention, the electronic control system is configured in such a manner that it can be used "in a multitude of different aggregates". However, according to *Sipin*, only one such unit is used, namely, a combined compressor/vacuum pump.

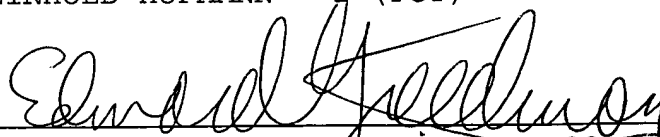
The object of the present invention as claimed is to make a single, standardized control adaptable to different units, which allows advantages in production, maintenance, and startup. For this reason, the control contains a plurality of unit-specific data profiles, which are provided for a specific unit type, in each instance, and can be called up separately, depending on what unit is being used at a specific time.

Sipin, on the other hand, does not contain any indication of making available a control that can be operated together with different units and accordingly contains different data profiles.

Instead, as already explained above, a goal of the *Sipin* patent is to make multiple units superfluous, and to provide merely a combined compressor/vacuum pump. For this reason, controlling only one parameter (pressure or vacuum) is sufficient, since this includes the inherent regulation of the other parameter, in each instance (column 3, lines 52 to 57).

For all the reasons set forth above, no prior art reference provides an identical disclosure of the claimed invention. Hence, the present invention is not anticipated under 35 U.S.C. 102. Withdrawal of this ground of rejection is respectfully requested. For all these reasons, all the claims are patentable under 35 U.S.C. 103 over all the prior art applied by the Patent Examiner. A prompt notification of allowability is respectfully requested.

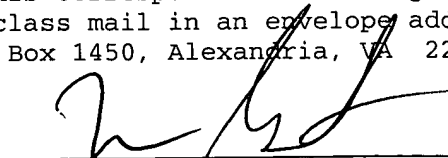
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 3, 2005.



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